

PATENT COOPERATION TREATY

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NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

United States Patent and Trademark
Office
(Box PCT)
Crystal Plaza 2
Washington, DC 20231
ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

Date of mailing (day/month/year)

23 September 1998 (23.09.98)

International application No.

PCT/EP98/00526

Applicant's or agent's file reference

CV-0244 PCT

International filing date (day/month/year)

22 January 1998 (22.01.98)

Priority date (day/month/year)

25 January 1997 (25.01.97)

Applicant

WARING, Michael, J. et al

1. The designated Office is hereby notified of its election made:



in the demand filed with the International Preliminary Examining Authority on:

19 August 1998 (19.08.98)



in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was



was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Facsimile No.: (41-22) 740.14.35

Authorized officer

D. Moh

Telephone No.: (41-22) 338.83.38

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference CV-0244 PCT	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (PCT/IPEA/416)	
International application No. PCT/EP98/00526	International filing date (day/month/year) 22/01/1998	Priority date (day/month/year) 25/01/1997
International Patent Classification (IPC) or national classification and IPC A61L25/00		
Applicant BRISTOL-MYERS SQUIBB COMPANY et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.


2. This REPORT consists of a total of 4 sheets, including this cover sheet.

- ☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 19/08/1998	Date of completion of this report 12.10.98
Name and mailing address of the IPEA/  European Patent Office D-80298 Munich Tel. (+49-89) 2399-0. Tx: 523656 epmu d Fax: (+49-89) 2399-4465	Authorized officer Cattell, James Telephone No. (+49-89) 2399-8468



**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/EP98/00526

I. Basis of the report

1. This report has been drawn on the basis of (*substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.*):

Description, pages:

1-9 as originally filed

Claims, No.:

1-12 as originally filed

Drawings, sheets:

1 as originally filed

2. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

4. Additional observations, if necessary:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/EP98/00526

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims 1-12
	No:	Claims
Inventive step (IS)	Yes:	Claims 1-12
	No:	Claims
Industrial applicability (IA)	Yes:	Claims 1-12
	No:	Claims

2. Citations and explanations

see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/EP98/00526

V.

- 1). Document D1 (EP-A-0,560,014) discloses the aerosolisation of **liquid** compositions onto wound sites to form a film dressing (See col. 7 lines 1 to 14). The use of a gel is not disclosed (Art 33(2) PCT).

Although wound healing gels are known, their use in a aerosol vessel could not be derived from D1, which exclusively deals with film forming liquids. The claims therefore appear to meet the requirements of Article 33(3) PCT.

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INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference BB 44571	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/EP 97/07308	International filing date (day/month/year) 29/12/1997	(Earliest) Priority Date (day/month/year)
Applicant UNIVERSITE DE GENEVE LABORATOIRE DE... et al.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 2 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. ☐ **Certain claims were found unsearchable** (see Box I).

2. ☐ **Unity of invention is lacking** (see Box II).

3. ☐ The international application contains disclosure of a **nucleotide and/or amino acid sequence listing** and the international search was carried out on the basis of the sequence listing

☐ filed with the international application.

☐ furnished by the applicant separately from the international application,

☐ but not accompanied by a statement to the effect that it did not include matter going beyond the disclosure in the international application as filed.

☐ Transcribed by this Authority

4. With regard to the **title**, ☒ the text is approved as submitted by the applicant

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this International Search Report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is:

Figure No. 1-3 ☐ as suggested by the applicant.

☐ None of the figures.

☒ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

INTERNATIONAL SEARCH REPORT

National Application No
PCT/EP 97/07308A. CLASSIFICATION OF SUBJECT MATTER
IPC 6 B01J13/04 A61K9/51

According to International Patent Classification(IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 6 B01J A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 0 274 961 A (CNRS) 20 July 1988 cited in the application see page 3, column 3, line 26 - page 3, column 4, line 55; claims 1-12 ---	1-11
X	EP 0 275 796 A (CNRS) 27 July 1988 see page 3, column 3, line 33 - page 4, column 5, line 17 ---	1-11
X	EP 0 349 428 A (CNRS) 3 January 1990 see claims 1-12 -----	1-11

☐ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

° Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

30 July 1998

Date of mailing of the international search report

06/08/1998

Name and mailing address of the ISA

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Fax: (+31-70) 340-3016

Authorized officer

Fouquier, J-P

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/EP 97/07308

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
EP 274961	A	20-07-1988	FR 2608942 A	01-07-1988
			CA 1293170 A	17-12-1991
			DE 3777793 A	30-04-1992
			GR 3004198 T	31-03-1993
			JP 1960935 C	10-08-1995
			JP 6093998 B	24-11-1994
			JP 63232840 A	28-09-1988
			US 5049322 A	17-09-1991
			US 5174930 A	29-12-1992
EP 275796	A	27-07-1988	FR 2608988 A	01-07-1988
			CA 1292168 A	19-11-1991
			DE 3777796 A	30-04-1992
			ES 2031151 T	01-12-1992
			FR 2634397 A	26-01-1990
			GR 3004152 T	31-03-1993
			GR 3018122 T	29-02-1996
			JP 2739896 B	15-04-1998
			JP 63240936 A	06-10-1988
			US 5133908 A	28-07-1992
			US 5118528 A	02-06-1992
EP 349428	A	03-01-1990	FR 2634397 A	26-01-1990
			ES 2054052 T	01-08-1994
			GR 3007248 T	30-07-1993
			JP 1876957 C	07-10-1994
			JP 2149334 A	07-06-1990
			JP 6002224 B	12-01-1994
			KR 9614870 B	21-10-1996
			US 5133908 A	28-07-1992

09/341824

16C3

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WORLD INTELLECTUAL PROPERTY ORGANIZATION
International Bureau

INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(51) International Patent Classification ⁶ : A61L 25/00		A3	(11) International Publication Number: WO 98/32675
			(43) International Publication Date: 30 July 1998 (30.07.98)
(21) International Application Number: PCT/EP98/00526		(81) Designated States: AT, AU, CA, CH, CN, CZ, DE, DK, ES, FI, GB, HU, IL, JP, LU, MX, NO, NZ, PL, PT, RU, SE, US, European patent (AT, BE, CH, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE).	
(22) International Filing Date: 22 January 1998 (22.01.98)			
(30) Priority Data: 9701552.3 25 January 1997 (25.01.97) GB		Published With international search report.	
(71) Applicant (for all designated States except US): BRISTOL-MYERS SQUIBB COMPANY [US/US]; 345 Park Avenue, New York, NY 10154 (US).		(88) Date of publication of the international search report: 29 June 2000 (29.06.00)	
(72) Inventors; and (75) Inventors/Applicants (for US only): WARING, Michael, J. [GB/GB]; 16 Escolme Drive, Greasby, Wirral L49 1SE (GB). JACQUES, Elizabeth [GB/GB]; 9 Cedar Grove, Hoole, Chester CH2 3LQ (GB).			
(74) Agent: MAYS, Julie; Bristol-Myers Squibb Company Limited, Swakeleys House, Milton Road, Ickenham, Uxbridge UB10 8NS (GB).			

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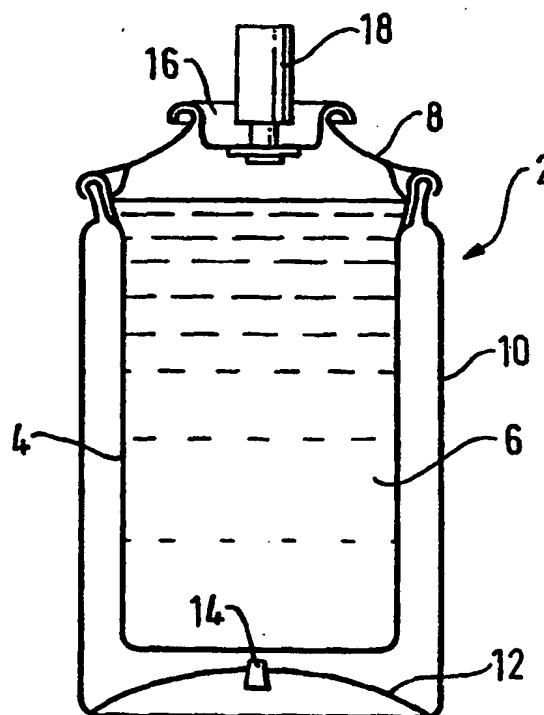
AUG 03 2000

TECH CENTER 1600/2900

(54) Title: MULTI-DOSE WOUND GEL

(57) Abstract

A barrier aerosol vessel containing a wound gel for the treatment of wounds. Wound gels packaged in this way have many advantages. Firstly, because there is positive pressure in the container, the vessel can be made to be self-sealing. This aids maintenance of product sterility. Secondly, it is possible to use an aerosol using only one hand which makes application of the gel to the wound particularly easy. In the case of sinus wounds, where there is undermining of the tissue beneath the wound site and beyond its surface periphery, it is possible to insert the nozzle through the sinus to fill the cavity with gel. Thirdly, since the propellant is not mixed with the gel, the physical and chemical properties of the gel are not affected by being dispensed in this manner.



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DK	Denmark	LK	Sri Lanka	SE	Sweden		
EE	Estonia	LR	Liberia	SG	Singapore		

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference CV-0244 PCT	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/EP 98/ 00526	International filing date (day/month/year) 22/01/1998	(Earliest) Priority Date (day/month/year) 25/01/1997
Applicant BRISTOL-MYERS SQUIBB COMPANY et al.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. ☐ **Certain claims were found unsearchable** (see Box I).

2. ☐ **Unity of invention is lacking** (see Box II).

3. ☐ The international application contains disclosure of a **nucleotide and/or amino acid sequence listing** and the international search was carried out on the basis of the sequence listing

☐ filed with the international application.

☐ furnished by the applicant separately from the international application,

☐ but not accompanied by a statement to the effect that it did not include matter going beyond the disclosure in the international application as filed.

☐ Transcribed by this Authority

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6. The figure of the **drawings** to be published with the abstract is:

Figure No. 1 ☒ as suggested by the applicant.

☐ None of the figures.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

INTERNATIONAL SEARCH REPORT

National Application No
PCT/EP 98/00526

A. CLASSIFICATION OF SUBJECT MATTER
IPC 6 A61L25/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 6 A61L

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 0 560 014 A (ATRIX LAB INC) 15 September 1993	1, 10-12
Y	see column 14, line 10 - column 16, line 7 ---	2-8
Y	EP 0 666 081 A (SQUIBB BRISTOL MYERS CO) 9 August 1995 cited in the application see abstract ---	2-8
Y	EP 0 693 292 A (JOHNSON & JOHNSON MEDICAL) 24 January 1996 see page 3, line 9 - line 24 ---	9
Y	US 5 059 187 A (SPERRY CHARLES R ET AL) 22 October 1991 see column 6, line 6 - line 29 see figure 1 ---	9
	-/--	

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

*** Special categories of cited documents :**

"A" document defining the general state of the art which is not considered to be of particular relevance
"E" earlier document but published on or after the international filing date
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
"O" document referring to an oral disclosure, use, exhibition or other means
"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
"&" document member of the same patent family

Date of the actual completion of the international search

28 July 1998

Date of mailing of the international search report

06/08/1998

Name and mailing address of the ISA

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Fax: (+31-70) 340-3016

Authorized officer

Heck, G

INTERNATIONAL SEARCH REPORT

Information on patent family members

national Application No
PCT/EP 98/00526

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
EP 0560014	A	15-09-1993	AU 3117493	16-09-1993
			CA 2091552	13-09-1993
			JP 6007423	18-01-1994
			US 5725491	10-03-1998
			US 5632727	27-05-1997
EP 0666081	A	09-08-1995	CA 2140827	25-07-1995
EP 0693292	A	24-01-1996	GB 2291348	24-01-1996
			AU 2492895	01-02-1996
			BR 9503349	27-02-1996
			CA 2153947	19-01-1996
			FI 953453	19-01-1996
			JP 8187280	23-07-1996
			NO 952824	19-01-1996
			SG 33420	18-10-1996
			US 5693624	02-12-1997
US 5059187	A	22-10-1991	NONE	
EP 0017147	A	15-10-1980	DE 2912670	09-10-1980

INTERNATIONAL SEARCH REPORT

International Application No

PCT/EP 98/00526

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	<p>EP 0 017 147 A (LECHNER GMBH) 15 October 1980 cited in the application see figure 1 see claims 11,13,15 -----</p>	1-12